

**COUNTY OF SANTA CLARA, CALIFORNIA**



**REQUEST FOR PROPOSALS #RFP-PLN-FY12-0007**

**GENERAL PLAN HEALTH ELEMENT**

**DEPARTMENT OF PLANNING & DEVELOPMENT  
7th floor, 70 W. Hedding Street, San Jose, Ca 95110-1705**

**ISSUED: July 29, 2011**

**PROPOSALS DUE: 3:00 p.m., August 29, 2011**

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# REQUEST FOR PROPOSAL

## I. OVERVIEW

The County of Santa Clara Department of Planning and Development (“Planning Department”) wishes to retain a qualified consultant(s) with expertise in 1) planning and 2) public health policy, to provide consulting services for preparation of a Health Element to the County General Plan.

The aim of the proposed Health Element preparation process and product, in the words of the Board of Supervisors, is to be " inclusive, innovative and inspiring". The project goal is to improve the mental and physical health of County residents and employees through heightened awareness, education, related land use planning, and changes in health-related policies and practices.

## II. BACKGROUND

In 2011, the Board of Supervisors directed the Planning Department to proceed with creation of a new Health Element as the first of several General Plan update actions. The current General Plan, adopted in 1994, only indirectly references health and wellness and does not reflect the focus and emphasis currently sought. The proposed Project is consistent with the "planning" mission of the Planning Department.

Primary project funding is being provided by grants from The Health Trust (Health Partnership Grant program) and the County Public Health Department (through a grant from the federal Centers for Disease Control, Communities Putting Prevention to Work, Obesity Prevention Initiative).

## III. PROJECT SUMMARY

The proposed Health Element will address various health and wellness topics (see Appendix A) and policy issues (see Appendix B) affecting County residents, employees and those with an interest in Santa Clara County. The Health Element will identify and assess existing health-related conditions, create and map critical health indicators, propose and assess alternative strategies and policies (using an appropriate assessment tool such as the Healthy Development Management Tool) and yield an Existing Conditions Report, Strategies/Policies Framework and Public Draft Health Element document. Stakeholder, technical and public involvement, as well as that of a project Staff Advisory Committee and Wellness Advisory Committee, will be key to the success of the project process and outcome.

## IV. BUDGET

The Proposer shall submit a project budget for review and consideration. The budget must address all aspects of the Scope of Work (see Section V. and Appendix C) and identify all project phases, tasks, deliverables, personnel, hourly rates, and the associated costs for these items.

## V. SCOPE OF WORK

Appendix C contains the detailed project Scope of Work. The Scope outlines anticipated project tasks, milestones, and deliverables to be addressed by the selected consultant.

## VI. WORK PROGRAM/TIMELINE

A preliminary Planning Department Work Program/Timeline for the project is enclosed as Appendix D. A General Project Schedule is included below. The selected consultant will comply with the Scope of Work (Appendix C), Work Program/Timeline (Appendix D), and General Project Schedule (below):

### General Project Schedule

Task	Dates
Initiate Consultant Work	Dec. 2011
Create Project Management Plan	Jan. 2012
Create Public Outreach Plan	March 2012
Create/Maintain Project Web Site	March 2012 - project end
Facilitate Staff Advisory Committee meetings (SAC) (3 minimum)	Jan., May, July 2012
Facilitate Wellness Advisory Committee meetings (WAC) (3 minimum)	March, May, August 2012
Hold Stakeholder/Expert Interviews (in small groups or one-on-one)	Feb - April 2012
Produce Existing Conditions Report	Dec 2011 - June 2012
Produce Strategies/Policy Framework	June 2012 - Sept. 2012
Produce Draft Health Element	Oct. 2012 - Dec. 2012
Produce/Publish Public Draft Health Element	Jan. 2013 - April 2013
Facilitate a minimum of: <ul style="list-style-type: none"> <li>• one (1) Planning Commission Workshop (June 2012);</li> <li>• one (1) Planning Commission hearing (Oct. 2013);</li> <li>• two (2) Board Committee meetings (Sept. 2013); and</li> <li>• one (1) Board of Supervisors hearing (Nov. 2013).</li> </ul>	June 2012 - Nov. 2013
Finalize adopted Health Element	Sept. 2013 - Dec. 2013
Publish Health Element (hard copy & web Publication)	Jan. 2014 - March, 2014

*Note: Project CEQA review and compliance not covered by this RFP.*

## VII. RFP PROCESS

### A. RFP Issuance

This RFP, issued on July 29, 2011, has been posted on the Planning Department website (at [www.sccplanning.org](http://www.sccplanning.org) under the "Plans and Programs" link), and through BIDSYNC (at <http://www.bidsync.com/>).

### B. Deadline to Submit Written Questions

Proposers may submit written questions about this RFP no later than August 9, 2011, via [www.bidsync.com](http://www.bidsync.com). Questions may not be submitted in any other manner or format.

### C. Response to Written Questions/RFP Amendments

Written responses to written questions and any RFP changes will be issued as an RFP addendum and posted on [www.bidsync.com](http://www.bidsync.com).

**D. Proposal Due Date/Delivery**

**Proposals must be received no later than August 29, 2011, 3:00 p.m.** to be eligible for consideration. Proposals will be date stamped upon receipt. Deliveries should be addressed to:

Cherry Maurer, RFP-PLN-FY12-0007  
Department of Planning and Development, East Wing, 7th floor  
70 W. Hedding Street  
San Jose, Ca 95110-1705

Only hard copy proposals will be accepted. The County reserves the right to post addenda to the RFP until the RFP closing date and time.

**VIII. RFP TIMELINE**

	<b>Action</b>	<b>Date</b>
1.	RFP Issued	Friday, July 29, 2011
2.	Deadline to Submit Written Questions	Tuesday, August 9, 2011
3.	County Response to Written Questions/RFP Addendum	Tuesday, August 16, 2011
<b>4.</b>	<b>Proposals Due</b>	<b>Monday, August 29, 2011; 3:00 p.m.</b>
5.	Proposals Reviewed/Evaluated	Thurs., Sept. 8, 2011
6.	Proposal Short List Created	Fri., Sept. 9, 2011
7.	Consultant Interview Notification	Monday, Sept. 12, 2011
8.	Consultant Interviews	Wed. - Friday, Sept. 21 - 23, 2011
9.	Finalist Selected for Negotiations	Wed., Sept. 28, 2011
10.	Negotiations Finalized; Contract Finalized; Notice of Intent to Award Sent	Friday, Oct. 21, 2011
11.	Board of Supervisors Contract Approval	Nov. 22, 2011
12.	Commencement of Contract	Dec., 2011

**IX. CONSULTANT SELECTION PROCESS**

**A. Proposal Review/Ranking**

A Selection Committee, comprised of County staff from various Departments and disciplines will convene to evaluate the proposals. Proposals will be evaluated, based on the Selection Criteria stated below.

**B. Short List/Interview Process**

The Planning Department will create a Short List on Sept. 9, 2011 and notify those listed on Sept. 12, 2011, to schedule interviews for further consideration. Proposers will be contacted by email, at the email address provided in the proposal.

An Interview Panel, comprised of representatives from various disciplines and County departments, will conduct interviews during Sept. 21 - 23, 2011.

**C. Selection of Finalist for Negotiations**

Following Proposer interviews, a finalist will be identified for contract negotiation. If agreement cannot be reached, the County may negotiate with other Proposers.

**D. Contract Approval**

Following negotiation, the Planning Department will email a Notice of Intent to Award to all Proposers. Notification will be emailed to the address provided in the proposal. Following negotiation, the contract will be subject to review and approval by County Counsel and the County Board of Supervisors.

**X. CONSULTANT SELECTION CRITERIA**

Proposals will be evaluated against the following Selection Criteria:

<b>Selection Criteria</b>	
1.	Experience and competence of the Proposer in addressing similar projects.
2.	Experience and competence of the Project Manager and Project Principal in:
a.	Project management of public agency projects;
b.	Planning and Public Health (including Topics & Policy Issues; see Appendices A and B);
c.	Staff interaction and facilitation;
d.	Committee/Commission interaction and facilitation;
e.	Public outreach and facilitation;
f.	Clear and concise written and verbal communications; and
g.	Graphic skills (including web design and maintenance).
3.	Experience and competence of the Proposer's Support Team (including subcontractors, if applicable) in addressing similar projects
4.	Adequacy in addressing Scope of Work (see Appendix C) and Work Program/Timeline (see Appendix D)
5.	Adequacy of project Budget
6.	Satisfaction of Proposal Requirements (RFP Section XII, subsections A and B)
7.	Demonstrated ability to meet timelines and budgets of past public agency projects
8.	Local Business preference (see Attachment 1)
9.	Supportive References

## **XI. MINIMUM TECHNICAL SUPPORT REQUIREMENTS**

The Planning Department requires that all information collected and published for this project be made available in electronic format compatible with the operating system, hardware and software requirements of the County. All electronic files shall become property of the County of Santa Clara.

## **XII. PROPOSAL REQUIREMENTS**

### **A. Format**

Provide seven (7), double-sided, letter size originals of the proposal, using size 12-font. Single-sided proposals will not be considered (as per Board Policy 3.29), nor will any oversized submittals.

### **B. Content and Sequence**

The Proposal should include the following items, in the following sequence:

1. Cover Letter - An original cover letter signed by an officer (with title) authorized to contractually bind the Proposer. The Cover Letter should also include the Proposer's legal name, address, email address and phone number; subcontractor name(s) (if applicable); name, title, address, email address and phone number of contact person during the proposal evaluation period; type of organization; date of submittal; and a statement indicating the proposal remains valid for a period of no less than one hundred sixty (160) days from date of submittal.
2. Purpose Statement- A brief statement of the Proposer's philosophy, history, experience, interests, and goals with regard to this project.
3. Organizational Description - A brief description (with organizational chart) of the proposing firm, identifying key project personnel. Provide relevant information about the firm's capabilities, size, services and length of time in existence.
4. Project Personnel - Identify proposed Project Manager, Project Principal, support team, and subcontractors (if applicable), and provide a synopsis of their experience relevant to these roles. Include brief resumes for each project participant. Provide a statement committing that the Project Manager and Principal shall not be removed from the project without prior written consent from the County.
5. Discussion of Similar Projects -Identify similar projects handled by the proposed Project Manager, Project Principal, support team, and subcontractor (if applicable). Include the initial and final contract amount, dates of involvement and current status of identified similar projects. Provide references (agency and contact name, email address and phone numbers) for each similar project discussed.
6. Scope of Work & Project Strategy - Using Appendix C (Scope of Work) and Appendix D (Work Program/Timeline) as a basis, provide a Scope of Work and Project Strategy for the project. Identify project phases and tasks, noting deliverables, meetings and hours allocated to each and in total. Clearly identify and explain proposed deviations or augmentations, if any, from Appendices C and D.

7. Project Schedule - Proposed schedule for identified phases, tasks, milestones, meetings and deliverables. Clearly identify and explain proposed deviations, if any, from Appendices C and D.
8. Budget - Proposed project budget (total and for each phase, task, milestone and deliverable). Identify personnel proposed for each phase, task, milestone, and deliverable, and their hourly rate. Clearly identify and explain proposed deviations, if any, from Appendices C and D.
9. Insurance - Evidence of insurance coverage that meets County requirements (see Appendix F: Insurance Requirements, Exhibit B-2).
10. Primary contact - Identify the proposed Project Manager **and** day-to-day project contact.
11. Form - Statement of Agreement with attached Service Agreement Form (see Appendix E), or recitation of edits required for Proposer to execute the contract.
12. Local Business - Supply a completed Declaration of Local Business form, if applicable (see Attachment 1).

### **XIII. GENERAL**

#### **A. Incurring cost**

This RFP does not commit the County to award, nor does it commit the County to pay any cost incurred in the submission of the proposal, or in making necessary studies for the preparation thereof, nor procure or contract for services or supplies. Further, no reimbursable cost may be incurred in anticipation of a contract award.

#### **B. Claims against the County of Santa Clara**

Neither the proposing organization nor any of its representatives shall have any claims whatsoever against the County or any of its respective officials, agents, or employees arising out of or relating to this RFP or these RFP procedures, except as set forth in the terms of a definitive agreement between the County and recipient organization.

#### **C. Guarantee of Proposal**

Responses to this RFP, including proposal prices, will be considered firm and irrevocable for one-hundred and sixty (160) days after the due date for receipt of proposals and/or one-hundred sixty (160) days after receipt of a best and final offer, if one is submitted.

#### **D. Basis for Proposal**

Only information supplied in writing by the Planning Department in connection with this RFP should be used as the basis for proposal preparation.



**E. Form of Proposals**

Only hard copy proposals will be accepted.

**F. Amended Proposal**

A Proposer may submit an amended proposal before the deadline for receipt of proposals. Such amended proposals must be complete replacements for a previously submitted proposal and must be clearly identified as such in the Cover Letter. County personnel will not merge, collate, or assemble proposal materials.

**G. Withdrawal of Proposal**

Proposers may withdraw their proposals at any time prior to the deadline for receipt of proposals. The Proposer must submit a written withdrawal request signed by the Proposer's duly authorized representative, addressed to the proposal point of contact, and submitted to the Department.

**H. Late Responses**

In order to be considered, the proposal must be received in person or via courier or mail to the place specified no later than by the RFP due date and time. The Department's time and date stamp will be the basis for determining timeliness of proposals.

**I. No Public Proposal Opening**

There will be no public opening for this RFP.

**J. California Public Records Act (CPRA)**

All proposals become the property of the County, which is a public agency subject to the disclosure requirements of the California Public Records Act ("CPRA"). If Contractor proprietary information is contained in documents submitted to County, and Contractor claims that such information falls within one or more CPRA exemptions, Contractor must clearly mark such information "CONFIDENTIAL AND PROPRIETARY," and identify the specific lines containing the information. In the event of a request for such information, the County will make best efforts to provide notice to Contractor prior to such disclosure. If Contractor contends that any documents are exempt from the CPRA and wishes to prevent disclosure, it is required at its sole cost and expense, to obtain a protective order, injunctive relief or other appropriate remedy from a court of law in Santa Clara County before the County's deadline for responding to the CPRA request. If Contractor fails to obtain such remedy within County's deadline for responding to the CPRA request, County may disclose the requested information.

Contractor further agrees that it shall defend, indemnify and hold County harmless against any claim, action or litigation (including but not limited to all judgments, costs, fees, and attorney's fees) that may result from denial by County of a CPRA request for information arising from any representation, or any action (or inaction), by the Contractor.

## ASSIGNMENT OF CLAYTON ACT, CARTWRIGHT ACT CLAIMS

In submitting a response to a solicitation issued by the County, the responding person and/or entity offers and agrees that if the response is accepted, it will assign to the County all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Sec. 15) or under the Cartwright Act (Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code), arising from purchases of goods, materials, or services by the responding person and/or entity for sale to the County pursuant to the solicitation document. Such assignment shall be made and become effective at the time the County tenders final payment to the responding person and/or entity.

### **K. Confidentiality**

Generally, each proposal and all documentation submitted to the County is confidential until consultant selection notification occurs, when such documents become public record under state and local law, unless exempted in whole or in part under the CPRA.

### **L. Use of Electronic Versions of the RFP**

This RFP is being made available by electronic means. If accepted by such means, the Proposer acknowledges and accepts full responsibility to insure that no changes are made to the RFP. In the event of conflict between a version of the RFP in the Proposer's possession and the version maintained by the Planning Department, the version maintained by the Planning Department must govern.

### **M. County Rights**

The County reserves the right to do any of the following at any time:

1. Reject any or all proposal(s), without indicating any reason for such rejection;
2. Waive or correct any minor or inadvertent defect, irregularity or technical error in a proposal or the RFP process, or as part of any subsequent contract negotiation;
3. Request that Proposers supplement or modify all or certain aspects of their proposals or other documents or materials submitted;
4. Terminate the RFP, and at its option, issue a new RFP;
5. Procure services specified in this RFP by other means;
6. Modify the selection process, the services, or the contents or format of the proposals;
7. Extend a deadline specified in this RFP, including deadlines for accepting proposals;
8. Negotiate with any or none of the Proposers;
9. Modify in the final agreement any terms and/or conditions described in this RFP;

10. Terminate failed negotiations without liability, and negotiate with other Proposers;
11. Disqualify any Proposer on the basis of a real or apparent conflict of interest, or evidence of collusion that is disclosed by the proposal or other data available to the County;
12. Eliminate, reject or disqualify a proposal of any Proposer who is not a responsible Proposer or fails to submit a responsive proposal as determined solely by the County; and/or
13. Accept all or a portion of a proposal.

#### **XIV. PROTEST**

The Planning Department will email all Proposers by, informing them of the Proposer selected. Proposers who were not selected may file a written protest no later than 5 days after being emailed of their selection status.

##### **A. Filing a Protest**

Protest of an award must be in writing. The following must be written on the cover of the written protest: "Protest Relating to #RFP-PLN-FY-0007. The written protest must be emailed, faxed or mailed by the deadline to:

Jody Hall Esser, Director  
The Department of Planning and Development,  
70 W. Hedding Street, 7th floor  
San Jose, Ca 95110-1705

##### **B. Content of Protest**

The written protest must be no more than two pages, and contain the following information: (1) the name, street address, email address, phone and fax number of the Protester; (2) signature of the Protester or his representative; (3) clearly state the grounds for the protest as set forth below; (4) copies of any relevant documents; (5) the form of relief requested; and (6) the method by which the Protester would like to receive the Reviewing Officer's written protest decision. The written protest must clearly state the grounds for the protest. Protests should be concise and logically arranged.

##### **C. Grounds for Protest**

Protests shall be based only on the Protestor's belief that the following situations occurred:

- The County failed to follow the RFP's procedures and adhere to requirements set forth in the RFP or any addendum thereto;
- There was misconduct or impropriety by County officials or evaluation team members; or

- There was abuse of process or abuse of discretion by County officials or evaluation team members.

**D. Protest Resolution Process**

1. Informal Review by Department

The Planning Department Director, or his/her designee, will review a timely protest and attempt to informally resolve it expeditiously, or forward it within 2 business days to a designated RFP Reviewing Officer. The Planning Department Director may forward additional documents relevant to the protest to the Reviewing Officer.

2. Formal Review by Independent Reviewing Officer

The Planning Department will provide written notification to the Protester that the protest is being forwarded to an independent Reviewing Officer and the contact information for the Reviewing Officer. Both the Planning Department and Protester have 10 business days from the date of the written notification issued by the Planning Department to forward any additional documents to the Reviewing Officer that they believe are relevant to the review of the protest. Within 10 business days from the date of the notification sent to the Protester by the Planning Department, the Protester shall forward any additional relevant documents to the Reviewing Officer. Protester may not present any additional grounds for protest, argument or narrative.

The Reviewing Officer shall conduct an independent review of the protest to determine whether the grounds for the protest have merit. Only the information contained in a timely protest shall be considered by the Reviewing Officer. The Reviewing Officer shall only consider the documents each party has submitted, grounds for protest, and grounds to reject the protest.

The Reviewing Officer will issue a written decision on a timely written protest within 20 days of receiving a protest; however, the time for decision may be extended by the Reviewing Officer. The Reviewing Officer will issue the written decision to the Protester and the Planning Department. If the Protester failed to specify in its written protest the method by which the Protester would like to receive the Reviewing Officer's written protest decision, the Reviewing Officer will send his written decision to the Protester by mail. The decision of the Reviewing Officer shall be final.

3. Remedies

If the Reviewing Officer sustains a protest in whole or in part, the Reviewing Officer shall refer the matter back to the Planning Department for redress in conformance with the Reviewing Officer's decision. If the Reviewing Officer rejects the protest, then the Planning Department may proceed with its process.

**XV. CONTRACT REQUIREMENTS**

It is the intent of the County that the contractual relationship between the selected Proposer and the County will result in a Services Agreement that would be approved by the County Board of Supervisors. A sample Service Agreement form is included as Attachment E to this RFP. In

developing a proposal, the Proposer should carefully review the sample Agreement and take into consideration the rights, obligations and costs associated therein. Any change that the Proposer desires to terms of the Agreement (including the insurance and indemnification requirements) must be clearly specified in the submitted proposal.

## **XVI. INSURANCE AND INDEMNIFICATION REQUIREMENTS**

The selected Proposer will be required to submit a Certificate of Insurance during the negotiation of the contract, as per the attached insurance requirements (Attachment F), and maintain current insurance coverage through the contract duration. The Proposer will be further required to indemnify the County as provided on the insurance exhibit.

Without the above stated evidence of insurance for the additional endorsement, the contract cannot be signed and the County reserves the right to reject the selected Proposer.

## **APPENDICES**

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Appendix B:	List of Project Policy Issues
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## **ATTACHMENTS**

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Attachment 2:	Non Collusion Declaration